

CIVIL ACTION NO. 4:09-CV-3-BR

ORDER

This cause was heard by undersigned Judge on Motion of Defendant for Summary Judgment. It appears to the Court that the Plaintiff has satisfied all of the elements of his claim against the Defendants for negligent operation of the vessel on March 21, 2006 without need for judicial evaluation of conflicting material and that the Plaintiff is entitled to a partial judgment as a matter of law on the issue of liability.

IT IS THEREFORE ORDERED, that Summary Judgment is hereby granted in favor of the Plaintiff against the Defendants on this issue of liability and that this action shall be tried by the Court on the issue of damages only.

This the day of , 2010.

W. Earl Britt
Senior U.S. District Judge